

PTO/SB/08B (07-05)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	10/774,157
Filing Date	February 6, 2004
First Named Inventor	Eisermann et al.
Art Unit	3738
Examiner Name	unknown
Attorney Docket Number	31132.123 (PC888.00)

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
PP	A1	T. HOOGLAND et al., "Total Lumbar Intervertebral Disc Replacement: Testing of a New Articulating Spacer in Human Cadaver Spines," 24th Annual ORS, February 21-23, 1978, page 102, Dallas, Texas	

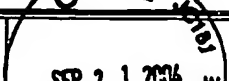
Examiner Signature	/Pedro Philogene/	Date Considered	08/06/2006
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/774,157		
				Filing Date	February 6, 2004		
				Applicant(s)	Eisemann, et al.		
				Art Unit	3738		
				Examiner Name	Unknown		
SHEET	1	OF	1	Attorney Docket Number	31132.123		

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FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
pp	B1	FR 2 742 653 A1	06/27/1997	COLORADO SOCIETE A RESPONSABILITE LIMITEE	N
pp	B2	WO 01/01893 A1	01/11/2001	SPINE SOLUTIONS, INC., et al.	Abstract

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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SHEET 1 OF 2

Application Number 10/774,157
Filing Date 02/06/2004
Applicant(s) Eisermann, et al.
Art Unit 3738
Examiner Name Unknown
Attorney Docket Number 31132.123

U. S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
PP	A1	2003/0069586	04/10/2003	Errico, et al.
	A2	2003/0074068	04/17/2003	Errico
	A3	2003/0097134	05/22/2003	Kunzler
	A4	2003/0176923	09/18/2003	Keller, et al.
	A5	2003/0208273	11/06/2003	Eisermann, et al.
	A6	2004/0024460	02/05/2004	Ferree
	A7	2004/0034426	02/19/2004	Errico, et al.
	A8	2004/0034421	02/19/2004	Errico, et al.
	A9	4759766	07/26/1988	Buettner-Janz
	A10	4997432	03/05/1991	Keller
	A11	5246458	09/21/1993	Graham
	A12	5258031	11/02/1993	Salib, et al.
	A13	5314477	05/24/1994	Marnay
	A14	5401269	06/20/1995	Buettner-Janz, et al.
	A15	5425773	04/16/1996	Boyd, et al.
	A16	5507816	09/17/1996	Bullivant
	A17	5534029	07/09/1996	Shima
	A18	5556431	09/17/1996	Buettner-Janz, et al.
	A19	5562738	10/08/1996	Boyd, et al.
	A20	5571109	11/05/1996	Bertagnoli
	A21	5674296	10/07/1997	Bryan, et al.
	A22	5676701	10/14/1997	Yuan, et al.
	A23	5683394	11/04/1997	Rinner

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
PP	B1	EP 0 560 140	02/25/1993	Waldemar Link GmbH & Co	N
	B2	EP 0 560 141	02/25/1993	Waldemar Link GmbH & Co	N
	B3	EP 0 747 025	12/11/1996	Smith & Nephews Richards, Inc.	y
	B4	EP 0 820 740	01/28/1998	Bryan, et al.	Y
	B5	WO 99/00074	01/07/1999	Brid-Port-Gundry PLC	y
	B6	WO 99/05995	02/11/1999	Gordon, Maya, Roberts & Thomas Number 1 LLC	y
	B7	WO 99/53871	10/28/1999	Cauthen Research Group, Inc.	Y
	B8	WO 00/42954	07/27/2000	Osteotech, Inc.	y

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Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published
PP	C1	Medtronic Sofamor Danek, "MAVERICK Total Disc Replacement", brochure, published 12/2002, pp. 1-6.

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2 OF 2

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Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
PP	A24	5683465	11/04/1997	Shinn, et al.
	A25	5755796	05/26/1998	Ibo
	A26	5782832	07/21/1998	Larsen, et al.
	A27	5865846	02/02/1999	Bryan, et al.
	A28	5888226	03/30/1999	Rogozinski
	A29	5895428	04/20/1999	Berry
	A30	5899941	05/04/1999	Nishijima, et al.
	A31	6001130	12/14/1999	Bryan, et al.
	A32	6019792	02/01/2000	Cauthen
	A33	6063121	05/16/2000	Xavier
	A34	6113637	09/05/2000	Gill, et al.
	A35	6146421	11/14/2000	Gordon, et al.
	A36	6224607	05/01/2001	Michelson
	A37	6228118	05/08/2001	Gordon
	A38	6368350	04/09/2002	Erickson, et al.
	A39	6440139	08/27/2002	Michelson
	A40	6517544	02/11/2003	Michelson
	A41	6517580	02/11/2003	Ramadan, et al.
	A42	6645249	11/11/2003	Ralph, et al.
	A43	6562045	05/13/2003	Gil, et al.
	A44	6692501	02/17/2004	Michelson

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